IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES HARRIS, : CIVIL ACTION

Plaintiff,

v. : No. 08-2126

MICHAEL PAIGE,

and

CITY OF PHILADELPHIA,

Defendants.

ORDER

AND NOW this 4th day of April, 2011, upon consideration of the Motion to Amend Answer ("Motion to Amend") (Doc. No. 70) filed by Defendant Michael Paige ("Defendant"), the Motion to Strike Defendant's Amended Complaint ("Plaintiff's Motion to Strike") (Doc. No. 73) filed by Plaintiff, James Harris ("Plaintiff"), the Opposition thereto filed by Defendant (Doc. No. 74), and the Motion in Opposition (Doc. No. 76) filed by Plaintiff, it is hereby **ORDERED** that:

- (1) Defendant's Motion to Amend is **DENIED**;
- (2) Plaintiff's Motion to Strike is **GRANTED**; and
- (3) Plaintiff's Motion in Opposition is **DENIED** as moot.

BY THE COURT:

/s/ Robert F. Kelly ROBERT F. KELLY SENIOR JUDGE